

HOLCIM STORY

Contract Labour Fighting Back

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CONTRACT WORKERS demanding the implementation of a High Court order directing ACC-Holcim to regularize them has been on an indefinite sit-in for more than a month. On 3rd April, the contract workers served notices to the Collector and Assistant Labour Commissioner, Durg and the City Superintendent of Police Chhaoni, and started their protest in a pandal in front of Niyogi's statue in the Bhilai Industrial Estate, Jamul. Each day since then, groups of workers have been joining the protest after completion of their respective shifts, their families and mohalla members have been sitting in dharna during the day, and volunteers from among the affected workmen have been sleeping at the protest site during the nights. Before starting work in each shift, the workers shout slogans and hold gate meetings, and have also been distributing pamphlets outside other factories in the industrial area during lunch hours asking for solidarity.

The contract workers, organized under the Pragatisheel Cement Shramik Sangh (PCSS) Union, have struggled for over 20 years, seeking regular employment at the ACC-Holcim cement plant instead of the exploitative and illegal contract-based employment system currently in place. It should be recalled that under the Cement Wage Board Agreement - a tripartite agreement between the All India Cement Manufacturers Association, the central trade unions and the government, in force since 1978 - no contract labour would be employed in cement manufacture at all, and if any were to be employed it would be limited to the loading and unloading of raw materials and would be paid at the same rate as the permanent employees. Despite this landmark agreement, use of contract labour in cement industry is rampant today, and it is estimated that over 70% of the labour force engaged in the nine large cement plants of Chhattisgarh today is contract labour, employed under unlawful and highly abusive conditions.

Contract workers of ACC-Holcim have been seeking regularization for the past twenty years, of which the last ten years have been spent in a lengthy and expensive litigation process. Both the Industrial Court and the Chhattisgarh High Court have eventually sided with the contract workers, holding their contracts "sham and bogus" and directing the ACC-Holcim company to regularize them immediately.

Despite clear indictment by the courts, ACC-Holcim has been refusing to implement the High Court order and to regularize any one of the more than hundred eligible Union employees. In fact the Union had to send the copy of the Judgment by Registered Post since the company representatives refused to accept the copy from Union representatives. It is imperative that the company accede to the ethical and legal demands of the Union for regularization of these employees, rather than engage in another round of litigation. It is to be noted that Holcim has been a signatory to the UN Global Compact since 2003, a fact that Holcim prominently advertises as an aspect of Corporate Social Responsibility. The UN Global Compact includes a code of conduct for companies regarding treatment of labour, and stipulates that forced labour and discrimination would not be resorted to by managements.

On 15th April, the workers went to the Collectorate, and after a day-long sit-in, the Durg Collector, Mr Thakur Ram Singh, was forced to meet with the workers. Mr Singh promised to arrange a meeting between the workers and the company officials in a few days, but no other assurance was forthcoming. It remains to be seen whether the Raman Singh government, which is always exhorting poor adivasis, farmers who are being dispossessed and activists charged under draconian laws, to have faith in the judiciary, will be able to persuade a hugely profitable multinational company to show similar faith in judicial pronouncements. PCSS is also actively working through trade union representatives to persuade Holcim India to sit across the table with the workers and work out the implementation of the High Court order in the ACC Jamul Cement Works, rather than dragging the workers into another endless round of litigation.

Meanwhile, the protesting workers are receiving support and solidarity from several local, and national and international trade unions and mass organizations. Congratulating the contract workers for their hard won success at getting a favourable court order, the NTUI (New Trade Union Initiative) Delhi, has deplored the blatant disregard shown by Holcim for the laws of the country. NTUI expresses solidarity with these workers of Chhattisgarh in their fight, which is a fight of all workers and progressive people for dignity, justice and labour rights. PBKMS (Paschim Banga Khet Majoor Samiti) Kolkata has also expressed its support and solidarity for this struggle for labour rights. GAWU (Garment and Allied Workers Union, Gurgaon) notes that this fight has become a symbol of hope for all those struggling against increasing informalisation and contractualisation of employment and violation of workers' democratic and labour rights. TUSC (Trade Union Solidarity Committee representing seven unions) Mumbai has also extended support for this just demand and struggle. NFSRU, AWBSRU Kolkata and Goa Rajya Kamgar Mahasangha have also expressed solidarity with this struggle. AICCTU and other local unions have also extended solidarity.

CGIL (Italian General Confederation of Labour) Italy, has written to the Indian Ambassador in Italy. Describing the struggle as another mobilization in a longstanding dispute over working conditions, CGIL expresses deep concern for the situation of the contract workers and asking for immediate intervention by the Indian authorities to fully respect labour rights. The European trade union of Holcim has written to say that in response to its earlier letters to Holcim to change its attitude in India, Holcim has stated that they always comply with local legislation. The Union has once again written to its management expressing concern over the situation in Chhattisgarh, and urging Holcim to abide by the Indian laws; the union has also expressed solidarity with the workers here. ICEM (International Federation of Chemical, Energy, Mine and General Workers' Unions) has also extended support noting that cement multinationals like Holcim and Lafarge are doing nothing to stabilise employment and bring decent work to rural people, who are recruited and then exploited as contract workers. □□□

[source : sanhati.com]